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Date: February 27, 2007

Signature: Quyen Nguyen

(Quyen Nguyen)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/809,991

Confirmation No.: 9621

Filing Date: March 26, 2004

Inventor(s): Christopher J. DANEK et al.

Title: METHODS OF TREATING REVERSIBLE OBSTRUCTIVE
PULMONARY DISEASE

Examiner: W. Matthews

Group Art Unit: 3738

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.97 and §1.98, Applicants submit for consideration in the above-captioned application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

Related Applications

Applicant wishes to bring to the Examiner's attention, related applications and patents commonly assigned to the assignee of the present invention:

U.S. Application No. 10/640,967 filed August 13, 2003

U.S. Application No. 09/436,455 filed November 8, 1999

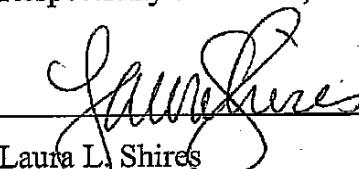
This Information Disclosure Statement is submitted after receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance. The required fee is submitted herewith.

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. §1.97 and §1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the event the appropriate fee and/or petition is not filed herewith and the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with this filing to Deposit Account No. 50-3973 referencing Attorney Docket No. ASTXNA00402. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,



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Substitute for form 1449/PTO		<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/809,991
(Use as many sheets as necessary)		Filing Date	March 26, 2004
		First Named Inventor	Christopher J. DANEK
		Art Unit	3738
		Examiner Name	W. Matthews
Sheet	1	of	14
Attorney Docket No: ASTXNA00402			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No ¹ .	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-RE35330	09-17-1996	MALONE; David G. et al.	
		US-1155169	09-28-1915	J. STARKWEATHER	
		US-1207479	12-05-1916	H. BISGAARD	
		US-2072346	03-02-1937	W. R. SMITH	
		US-3568659	03-09-1971	KARNEGIS; James N.	
		US-3667476	06-06-1972	MULLER; Henry	
		US-3692029	09-19-1972	ADAIR; Edwin Lloyd	
		US-3995617	12-07-1976	WATKINS; David H. et al.	
		US-4116589	09-26-1978	RISHTON; Michael L.	
		US-4129129	12-12-1978	AMRINE; Bruce A.	
		US-4461283	07-24-1984	DOI; Yuzuru	
		US-4502490	03-05-1985	EVANS; John M. et al.	
		US-4522212	06-11-1985	GELINAS; Sandra L. et al.	
		US-4557272	12-10-1985	CARR; Kenneth L.	
		US-4565200	01-21-1986	COSMAN; Eric R.	
		US-4567882	02-04-1986	HELLER; Richard M.	
		US-4584998	04-29-1986	MCGRAIL; Thomas W.	
		US-4612934	09-23-1986	BORKAN; William N.	
		US-4621642	11-11-1986	CHEN; Zu-fan	
		US-4621882	11-11-1986	KRUMME; John F.	
		US-4625712	12-02-1986	WAMPLER; Richard K.	
		US-4646737	03-03-1987	HUSSEIN; Hany M. G. et al.	

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		Number-Kind Code² (if known)			
		US-4674497	06-23-1987	OGASAWARA; Tadahiko	
		US-4683890	08-04-1987	HEWSON; Carl E.	
		US-4704121	11-03-1987	MOISE; John C.	
		US-4706688	11-17-1987	DON MICHAEL; T. Anthony et al.	
		US-4709698	12-01-1987	JOHNSTON; James H. et al.	
		US-4772112	09-20-1988	ZIDER; Robert B. et al.	
		US-4779614	10-25-1988	MOISE; John C.	
		US-4790305	12-13-1988	ZOLTAN; Bart J. et al.	
		US-4799479	01-24-1989	SPEARS; J. Richard	
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		US-4817586	04-04-1989	WAMPLER; Richard K.	
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		US-4827935	05-09-1989	GEDDES; Leslie A. et al.	
		US-4846152	07-11-1989	WAMPLER; Richard K. et al.	
		US-4862886	09-05-1989	CLARKE; Richard H. et al.	
		US-4895557	01-23-1990	MOISE; John C. et al.	
		US-4906229	03-06-1990	WAMPLER; Richard K.	
		US-4920978	05-01-1990	COLVIN; David P.	
		US-4944722	07-31-1990	CARRIKER; John W. et al.	
		US-4955377	09-11-1990	LENNOX; Charles D. et al.	
		US-4969865	11-13-1990	HWANG; Ned H. C. et al.	
		US-4976709	12-11-1990	SAND; Bruce J.	

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Sheet	3	of	14
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		US-4985014	01-15-1991	OREJOLA; Wilmo C.	
		US-4991603	02-12-1991	COHEN; Donald M. et al.	
		US-5009936	04-23-1991	YAMANAKA; Masahiko et al.	
		US-5019075	05-28-1991	SPEARS; J. Richard et al.	
		US-5030645	07-09-1991	KOLLONITSCH; Janos	
		US-5036848	08-06-1991	HEWSON; Carl E.	
		US-5053033	10-01-1991	CLARKE; Richard H.	
		US-5056519	10-15-1991	VINCE; Dennis J.	
		US-5074860	12-24-1991	GREGORY; Christopher C. et al.	
		US-5084044	01-28-1992	QUINT; Robert H.	
		US-5096916	03-17-1992	SKUPIN; Alvaro H.	
		US-5100388	03-31-1992	BEHL; Robert S. et al.	
		US-5100423	03-31-1992	FEARNOT; Neal E.	
		US-5103804	04-14-1992	ABELE; John E. et al.	
		US-5105826	04-21-1992	SMITS; Karel F. et al.	
		US-5107830	04-28-1992	YOUNES; Magdy	
		US-5116864	05-26-1992	MARCH; Keith L. et al.	
		US-5117828	06-02-1992	METZGER; William T. et al.	
		US-5135517	08-04-1992	MCCOY; William C.	
		US-5167223	12-01-1992	KOROS; Tibor et al.	
		US-5170803	12-15-1992	HEWSON; Carl E. et al.	
		US-5174288	12-29-1992	BARDY; Gust H. et al.	

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		Number-Kind Code² (if known)			
		US-5191883	03-09-1993	LENNOX; Charles D. et al.	
		US-5213576	05-25-1993	ABIUSO; Christopher L. et al.	
		US-5215103	06-01-1993	DESAI; Jawahar M.	
		US-5231996	08-03-1993	BARDY; Gust H. et al.	
		US-5232444	08-03-1993	JUST; Hansjorg et al.	
		US-5234456	08-10-1993	SILVESTRINI; Thomas A.	
		US-5254088	10-19-1993	LUNDQUIST; Ingemar et al.	
		US-5255678	10-26-1993	DESLAURIERS; Antoine et al.	
		US-5255679	10-26-1993	IMRAN; Mir A.	
		US-5265604	11-30-1993	VINCE; Dennis J.	
		US-5269758	12-14-1993	TAHERI; Syde A.	
		US-5281218	01-25-1994	IMRAN; Mir A.	
		US-5293869	03-15-1994	EDWARDS; Stuart D. et al.	
		US-5309910	05-10-1994	EDWARDS; Stuart D. et al.	
		US-5313943	05-24-1994	HOUSER; Russell A. et al.	
		US-5345936	09-13-1994	POMERANZ; Mark L. et al.	
		US-5368591	11-29-1994	LENNOX; Charles D. et al.	
		US-5370679	12-06-1994	ATLEE, III; John L.	
		US-5374287	12-20-1994	RUBIN; Leo	
		US-5383917	01-24-1995	DESAI; Jawahar M. et al.	
		US-5393207	02-28-1995	MAHER; Timothy R. et al.	
		US-5394880	03-07-1995	ATLEE, III; John L.	

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		Number-Kind Code ² (if known)			
		US-5396887	03-14-1995	IMRAN; Mir A.	
		US-5400778	03-28-1995	JONSON; Bjorn et al.	
		US-5400783	03-28-1995	POMERANZ; Mark L. et al.	
		US-5411025	05-02-1995	WEBSTER, Jr.; Wilton W.	
		US-5415166	05-16-1995	IMRAN; Mir A.	
		US-5415656	05-16-1995	TIHON; Claude et al.	
		US-5417687	05-23-1995	NARDELLA; Paul C. et al.	
		US-5423744	06-13-1995	GENCHEFF; Nelson et al.	
		US-5423811	06-13-1995	IMRAN; Mir A. et al.	
		US-5425811	06-20-1995	MASHITA; Masao	
		US-5431696	07-11-1995	ATLEE, III; John L.	
		US-5433730	07-18-1995	ALT; Eckhard	
		US-5443470	08-22-1995	STERN; Roger A. et al.	
		US-5454782	10-03-1995	PERKINS; Rodney C.	
		US-5456667	10-10-1995	HAM; Kevin et al.	
		US-5458596	10-17-1995	LAX; Ronald G. et al.	
		US-5465717	11-14-1995	IMRAN; Mir A. et al.	
		US-5471982	12-05-1995	EDWARDS; Stuart D. et al.	
		US-5478309	12-26-1995	SWEEZER; William P. et al.	
		US-5496311	03-05-1996	ABELE; John E. et al.	
		US-5500011	03-19-1996	DESAI; Jawahar M.	
		US-5505728	04-09-1996	ELLMAN; Alan G. et al.	

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		Number-Kind Code ² (if known)			
		US-5507791	04-16-1996	SIT'KO; Sergei P.	
		US-5509419	04-23-1996	EDWARDS; Stuart D. et al.	
		US-5522862	06-04-1996	TESTERMAN; Roy L. et al.	
		US-5531779	07-02-1996	DAHL; Roger W. et al.	
		US-5540681	07-30-1996	STRUL; Bruno et al.	
		US-5545161	08-13-1996	IMRAN; Mir A.	
		US-5545193	08-13-1996	FLEISCHMAN; Sidney D. et al.	
		US-5549559	08-27-1996	ESHEL; Uzi	
		US-5549655	08-27-1996	ERICKSON; Donald J.	
		US-5558073	09-24-1996	POMERANZ; Mark L. et al.	
		US-5571074	11-05-1996	BUCKMAN, Jr.; Robert F. et al.	
		US-5578072	11-26-1996	BARONE; Hector D. et al.	
		US-5588432	12-31-1996	CROWLEY; Robert J.	
		US-5588812	12-31-1996	TAYLOR; Lynn P. et al.	
		US-5595183	01-21-1997	SWANSON; David K. et al.	
		US-5598848	02-04-1997	SWANSON; David K. et al.	
		US-5601088	02-11-1997	SWANSON; David K. et al.	
		US-5605157	02-25-1997	PANESCU; Dorin et al.	
		US-5607419	03-04-1997	AMPLATZ; Curtis A. et al.	
		US-5607462	03-04-1997	IMRAN; Mir A.	
		US-5620438	04-15-1997	AMPLATZ; Curtis A. et al.	
		US-5624439	04-29-1997	EDWARDS; Stuart D. et al.	

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Substitute for form 1449/PTO		<i>Complete If Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/809,991
(Use as many sheets as necessary)		Filing Date	March 26, 2004
		First Named Inventor	Christopher J. DANEK
		Art Unit	3738
		Examiner Name	W. Matthews
Sheet	7	of	14
Attorney Docket No: ASTXNA00402			

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-5626618	05-06-1997	WARD; Kevin R. et al.	
		US-5630425	05-20-1997	PANESCU; Dorin et al.	
		US-5634471	06-03-1997	FAIRFAX; Andrew J. et al.	
		US-5641326	06-24-1997	ADAMS; Theodore P.	
		US-5647870	07-15-1997	KORDIS; Thomas F. et al.	
		US-5678535	10-21-1997	DIMARCO; Anthony Fortunato	
		US-5680860	10-28-1997	IMRAN; Mir A.	
		US-5681308	10-28-1997	EDWARDS; Stuart D. et al.	
		US-5693078	12-02-1997	DESAI; Jawahar M. et al.	
		US-5699799	12-23-1997	XU; Beilei et al.	
		US-5707218	01-13-1998	MAHER; Timothy R. et al.	
		US-5707336	01-13-1998	RUBIN; Leo	
		US-5707352	01-13-1998	SEKINS; K. Michael et al.	
		US-5722401	03-03-1998	PIETROSKI; Susan M. et al.	
		US-5722403	03-03-1998	MCGEE; David et al.	
		US-5722416	03-03-1998	SWANSON; David K. et al.	
		US-5725525	03-10-1998	KORDIS; Thomas F.	
		US-5727569	03-17-1998	BENETTI; Federico J. et al.	
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		US-5730726	03-24-1998	KLINGENSTEIN; Ralph James	
		US-5730741	03-24-1998	HORZEWSKI; Michael et al.	
		US-5740808	04-21-1998	PANESCU; Dorin et al.	

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		Number-Kind Code ² (if known)			
		US-5752518	05-19-1998	MCGEE; David et al.	
		US-5755714	05-26-1998	MURPHY-CHUTORIAN; Douglas R.	
		US-5755753	05-26-1998	KNOWLTON; Edward W.	
		US-5759158	06-02-1998	SWANSON; David K.	
		US-5765568	06-16-1998	SWEEZER, Jr.; William P. et al.	
		US-5769846	06-23-1998	EDWARDS; Stuart D. et al.	
		US-5772590	06-30-1998	WEBSTER, Jr.; Wilton W.	
		US-5779698	07-14-1998	CLAYMAN; Ralph V. et al.	
		US-5782239	07-21-1998	WEBSTER, Jr.; Wilton W.	
		US-5782797	07-21-1998	SCHWEICH, Jr.; Cyril J. et al.	
		US-5782848	07-21-1998	LENNOX; Charles D.	
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		US-5792064	08-11-1998	PANESCU; Dorin et al.	
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		US-5800375	09-01-1998	SWEEZER; William Penn et al.	
		US-5807306	09-15-1998	SHAPLAND; J. Edward et al.	
		US-5810757	09-22-1998	SWEEZER, Jr.; William P. et al.	
		US-5810807	09-22-1998	GANZ; Robert A. et al.	
		US-5817073	10-06-1998	KRESPI; Yosef P.	
		US-5820554	10-13-1998	DAVIS; Richard E. et al.	
		US-5827277	10-27-1998	EDWARDS; Stuart D.	
		US-5833651	11-10-1998	DONOVAN; Maura G. et al.	

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		Number-Kind Code² <i>(if known)</i>	MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-5836947	11-17-1998	FLEISCHMAN; Sidney D. et al.
		US-5843075	12-01-1998	TAYLOR; Junius E.
		US-5843077	12-01-1998	EDWARDS; Stuart D.
		US-5846238	12-08-1998	JACKSON; Jerome et al.
		US-5848969	12-15-1998	PANESCU; Dorin et al.
		US-5848972	12-15-1998	TRIEDMAN; John K. et al.
		US-5855577	01-05-1999	MURPHY-CHOTORIAN; Douglas R. et al.
		US-5860974	01-19-1999	ABELE; John E.
		US-5863291	01-26-1999	SCHAER; Alan K.
		US-5865791	02-02-1999	WHAYNE; James G. et al.
		US-5868740	02-09-1999	LEVEEN; Robert F. et al.
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		US-5871523	02-16-1999	FLEISCHMAN; Sidney D. et al.
		US-5873865	02-23-1999	HORZEWSKI; Michael et al.
		US-5881727	03-16-1999	EDWARDS; Stuart D.
		US-5882346	03-16-1999	POMERANZ; Mark L. et al.
		US-5891136	04-06-1999	MCGEE; David et al.
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		US-5899882	05-04-1999	WAKSMAN; Ron et al.
		US-5904651	05-18-1999	SWANSON; David K. et al.
		US-5904711	05-18-1999	FLOM; James R. et al.

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		Number-Kind Code ² (If known)			
		US-5908445	06-01-1999	WHAYNE; James G. et al.	
		US-5908446	06-01-1999	IMRAN; Mir A.	
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		US-5964796	10-12-1999	IMRAN; Mir A.	
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		US-5972026	10-26-1999	LAUFER; Michael D. et al.	
		US-5979456	11-09-1999	MAGOVERN; George J.	
		US-5984917	11-16-1999	FLEISCHMAN; Sidney D. et al.	
		US-5991650	11-23-1999	SWANSON; David K. et al.	
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		US-6004269	12-21-1999	CROWLEY; Robert J. et al.	
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		Number-Kind Code ² (if known)			
		US-6016437	01-18-2000	TU; Hosheng et al.	
		US-6024740	02-15-2000	LESH; Michael D. et al.	
		US-6036687	03-14-2000	LAUFER; Michael D. et al.	
		US-6045550	04-04-2000	SIMPSON; John A. et al.	
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		US-6071280	06-06-2000	EDWARD; Stuart D. et al.	
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		US-6142993	11-07-2000	WHAYNE; James et al.	
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		US-20040182399A1	09-23-2004	DANEK; Christopher James et al.	

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		Country Code ³ Number ⁴ Kind Code ⁵ (if Known)				
		EP-189329A3	06-03-1987	FISCHELL, Robert E. et al.		
		EP-282225B1	06-17-1992	DIGI EUROPE LIMITED		
		EP-286145A3	10-10-1990	SANKEI PHARMACEUTICAL COMPANY LIMITED et al.		
		EP-768091B1	07-30-2003	SUN MEDICAL TECHNOLOGY RESEARCH CORPORATION		
		EP-908150B1	05-07-2003	ETHICON ENDO-SURGERY, INC.		
		EP-908713A1	04-14-1999	CLAUD S. GORDON COMPANY		
		FR-2659240B1	07-04-1997	GALLEY DANIEL		✓
		GB-2233293	02-23-1994	TEVES GMBH ALFRED (DE)		
		SU545358T	02-05-1977			
		WO-0051510A1	09-08-2000	BRONCUS TECHNOLOGIES, INC.		
		WO-0103642A1	01-18-2001	BRONCUS TECHNOLOGIES, INC.		
		WO-9733715A1	09-18-1997	BOOTS MAN HOLDING B.V.		
		WO-9737715A1	10-16-1997	EMORY UNIVERSITY		
		WO-9844854A1	10-15-1998	BRONCUS TECHNOLOGIES, INC.		
		WO-9856234A1	12-17-1998	FRIEDMAN, MARK, M.		

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Attorney Docket No: ASTXNA00402			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No ¹	Foreign Patent Documents Country Code ³ -Number ⁴ -Kind Code ⁵ (if Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		WO-9856324A1	12-17-1998	ARTHROCARE CORPORATION		
		WO-9858681A3	03-18-1999	EP TECHNOLOGIES, INC.		
		WO-9903413A1	01-28-1999	VNUS MEDICAL TECHNOLOGIES, INC.		
		WO-9913779A2	03-25-1999	SCIMED LIFE SYSTEMS, INC.		
		WO-9934741A1	07-15-1999	BRONCUS TECHNOLOGIES, INC.		
		WO-9944506A1	09-10-1999	SENORX, INC.		
		WO-9945855A1	09-16-1999	CARDIOFOCUS, INC.		

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		Application Number	10/809,991
		Filing Date	March 26, 2004
		First Named Inventor	Christopher J. DANEK
		Art Unit	3738
		Examiner Name	W. Matthews
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T2
		Co-pending U.S. Appl. No. US09/244173.	
		Co-pending U.S. Appl. No. US09/436455.	
		Co-pending U.S. Appl. No. US09/095323.	
		SIMON R. JOHNSON et al., Synthetic Functions of Airway Smooth Muscle in Asthma, Trends Pharmacol. Sci., Aug. 1997, 18(8), 288-292.	
		MACKLEM P.T., Mechanical Factors Determining Maximum Bronchoconstriction, European Respiratory Journal, Jun. 1989, 6, 516s-519s.	
		JAMES C. HOGG, The Pathology of Asthma, APMIS, Oct. 1997, 105(10), 735-745.	
		DIERKESMANN et al., Indication and Results of Endobronchial Laser Therapy, Lung, 1990, 168, 1095-1102.	
		NETTER F.H., Respiratory System: A Compilation of Paintings Depicting Anatomy and Embryology, Physiology, Pathology, Pathophysiology, and Clinical Features and Treatment of Diseases ,In The CIBA Collection of Medical Illustrations M.B. Divertie, ed., Summit: New Jersey, 1979, vol. 7, 119-135.	
		WIGGS B.R. et al., On the Mechanism of Mucosal Folding in Normal and Asthmatic Airways, J. Appl. Physiol., Dec. 1997, 83(6), 1814-1821.	

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